

Remarks

This paper is filed in response to the Office Action mailed January 24, 2008. As of the issuance of the Office Action, claims 1, 4, 7, 8, and 26-46 were pending in the Application, of which claims 40-46 were withdrawn from consideration. The Examiner advised that claims 1, 4, 7, 8 and 26-39 are subject to a requirement of election under 35 U.S.C. § 121.

By this paper, the Applicant elects without traverse the species identified by the Examiner as "Species I." Species I is specifically identified as being "directed toward the method of providing a graft vessel coupled with a stent, and wherein the graft vessel and stent are placed directly into a sheath that has been inserted into a vein (page 37, lines 11-13)." The Applicant respectfully submits that at least claims 1, 4, 7, 8, and 26-31 read on Species I.

However, it is respectfully submitted that claims 1, 4, 7, 8, and 26-31 are not limited to methods in which a stent is placed "directly" into a sheath that has been inserted into a vein. Indeed, claims 1, 4, 7, 8, and 26-31 are sufficiently broad to read on methods in which a stent is positioned within a first sheath and the first sheath is inserted into a second sheath that has been inserted into a vein. Accordingly, claims 1, 4, 7, 8, and 26-31 can also read on the species identified by the Examiner as "Species II."

Claims 7 and 8 remain withdrawn from the application, and the Applicant reserves the right to rejoin these claims to the application upon the allowance of claim 1. By this paper, claims 32-46 are cancelled without prejudice or disclaimer. The Applicant

U.S. Application No. 10/811,079
Amendment and Response dated March 24, 2008
Reply to Office Action of January 24, 2008

reserves the right to pursue these claims in one or more future applications.

Please contact Applicant's undersigned attorney in the event that any remaining impediment to the prompt allowance of this application is found, which could be clarified by a telephonic interview, or which may be susceptible to being overcome by means of an Examiner's Amendment.

DATED this 24th day of March, 2008

Respectfully submitted,

/Kevin B. Laurence/

Kevin B. Laurence
Attorney for Applicant
Registration No. 38,219

Stoel Rives LLP
One Utah Center
201 South Main Street, Suite 1100
Salt Lake City, UT 84111
Telephone: 801-578-6932